

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

DEBORAH LYNNE COOK,	)	CASE NO. 2:19-CV-1161
	)	
Plaintiff,	)	CHIEF JUDGE EDMUND A. SARGUS, JR.
	)	
v.	)	CHIEF MAGISTRATE JUDGE
	)	ELIZABETH PRESTON DEAVERS
MOUNT CARMEL HEALTH SYSTEM,	)	
	)	
Defendant.	)	
	)	

**RULE 26(f) REPORT**

Pursuant to Federal Rule of Civil Procedure 26(f), a meeting was held on April 26, 2019 and was attended by:

Matthew J.P. Coffman, counsel for plaintiff Deborah Lynne Cook,

Samuel E. Endicott, counsel for defendant Mount Carmel Health System.

Counsel represent that, during the meeting, they engaged in a meaningful attempt to meet and confer on the matters outlined below.

1. **CONSENT TO MAGISTRATE JUDGE**

Do the parties consent to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c)?

       Yes            X       No

2. **INITIAL DISCLOSURES**

Have the parties agreed to make initial disclosures?

       Yes            X       No             The proceeding is exempt under Rule 26(a)(1)(B)

If yes, such initial disclosures shall be made by N/A.

3. VENUE AND JURISDICTION

Are there any contested issues related to venue or jurisdiction?

       Yes          X     No

If yes, describe the issue:

If yes, the parties agree that any motion related to venue or jurisdiction shall be filed by N/A.

4. PARTIES AND PLEADINGS

- a. The parties agree that any motion or stipulation to amend the pleadings or to join additional parties shall be filed by August 5, 2019.
- b. If the case is a class action, the parties agree that the motion for class certification shall be filed by N/A.

5. MOTIONS

- a. Are there any pending motion(s)?

       Yes          X     No

If yes, indicate which party filed the motion(s), and identify the motion(s) by name and docket number:

- b. Are the parties requesting expedited briefing on the pending motion(s)?

       Yes          X     No

If yes, identify the proposed expedited schedule:

Opposition to be filed by \_\_\_\_\_; Reply brief to be filed by \_\_\_\_\_.

6. ISSUES

Jointly provide a brief description of case, including causes of action set forth in the complaint, and indicate whether there is a jury demand:

Plaintiff alleges that Defendant committed multiple violations of the Fair Credit Reporting Act. Plaintiff has requested a jury trial. Defendant denies the allegations and any wrongdoing.

7. DISCOVERY PROCEDURES

- a. The parties agree that all discovery shall be completed by May 7, 2020. The parties agree to schedule their discovery in such a way as to require all responses to discovery to be served prior to the cut-off date, and to file any motions relating to discovery within the discovery period unless it is impossible or impractical to do so. If the parties are unable to reach an agreement on any matter related to discovery, they are directed to arrange a conference with the Court.
- b. Do the parties anticipate the production of ESI?   Yes   X  No

If yes, describe the protocol for such production:

There are no known issues related to electronically stored information, except emails that are related to the allegations in this case. The Parties agree that emails may be produced in PDF or paper format.

- c. Do the parties intend to seek a protective order or clawback agreement? Yes.

If yes, such order or agreement shall be produced to the Court by August 8, 2019.

8. DISPOSITIVE MOTIONS

- a. Any dispositive motions shall be filed by July 1, 2020.
- b. Are the parties requesting expedited briefing on dispositive motions?
- Yes   X  No

If yes, identify the proposed expedited schedule:

Opposition to be filed by N/A; Reply brief to be filed by N/A.

9. EXPERT TESTIMONY

- a. Primary expert reports must be produced by February 6, 2020.
- b. Rebuttal expert reports must be produced by March 18, 2020.

10. SETTLEMENT

Plaintiff(s) will make a settlement demand by May 30, 2019. Defendant will respond by June 20, 2019. The parties agree to make a good faith effort to settle this case. The parties understand that this case will be referred to an attorney mediator, or to the Magistrate Judge, for a settlement conference during this Court's settlement week. The parties request the following week:

March 20  ; June 20   ; September 20   ; **December 2019**

In order for the conference to be meaningful, the parties agree to complete all discovery that may affect their ability to evaluate this case prior to the beginning of settlement week. The parties understand that they will be expected to comply fully with the settlement week orders which require, *inter alia*, that settlement demands and offers be exchanged prior to the conference and that principals of the parties attend the conference.

11. RULE 16 PRETRIAL CONFERENCE

Do the parties request a scheduling conference?

       Yes, the parties would like a conference with the Court prior to it issuing a scheduling order. The parties request that the conference take place                      in chambers        by telephone.

  X   No, a conference is not necessary; the Court may issue a scheduling order after considering this Report.

12. OTHER MATTERS

Indicate any other matters for the Court's consideration: N/A

Signatures:

Attorney for Plaintiff:

Attorney for Defendant:

/s/ Matthew J.P. Coffman (permission to file given)  
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*Attorney for Plaintiff*

*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 26, 2019, a copy of the foregoing was electronically filed. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Samuel E. Endicott  
*An Attorney for Defendant*